

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

FELICE JOHNSON

Plaintiff,

v.

UNITED REVENUE CORPORATION

Defendant.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 4:13cv-00778-0

**MOTION FOR ORDER OF VOLUNTARY DISMISSAL**

NOW COMES, the Plaintiff Felice Johnson hereby makes this Motion for Order of Voluntary Dismissal WITHOUT PREJUDICE as to Defendant United Revenue Service and in support thereof shows:

1. Plaintiff asks the Court to dismiss her suit because after consideration, Plaintiff finds that it is in the best interest of all parties, including the Court, for Plaintiff to proceed more slowly in her litigation and better define the causes of action that are presented to the Court in her pursuit of justice.
2. The Court May grant a motion for voluntary dismissal if the dismissal will not unfairly prejudice the non-movant. Fed. R. Civ. P. 41(a)(2); *Elbaor v. Tripath Imaging, Inc.*, 279 F.3d 314, 317 (5<sup>th</sup> Cir. 2002).
3. Plaintiff is a pro se litigant; Plaintiff does not have a support staff and has been unable to properly proceed with this case in doing research, diligently proceed with her discovery, and make appropriate responses to Defendant's pleadings.

4. Plaintiff request that the dismissal be without prejudice to re-filling the suit because Plaintiff will re-file in the future to show the court there is sufficient grounds to file a claim upon which relief can be granted in her Complaint.
5. Defendant will not be prejudiced by the dismissal. Elbaor, 279 F.3d at 317. The dismissal will not deny Defendant any defense to which it is entitled, Ikospentakis v. Thalassic S.S. Agency, 915 F. 2d 176, 177 (5<sup>th</sup> Cir. 1990).

Defendant has not filed a counterclaim in this matter and would not be prejudice by a dismissal of this action for the above stated reasons.

WHEREFORE, the Plaintiff respectfully moves this Honorable Court to issue an order of dismissal of this action without prejudice so that at some future time, if and when the Plaintiff is may adequately proceed with the case, this cause of action may again be brought before the Court for a proper examination of the issues and justice properly served.

Dated: November 03, 2013

Respectfully Submitted,

/s/ Felice Johnson  
Felice Johnson  
7513 Laurie Drive  
Fort Worth, Texas 76112  
(817) 627-5759  
Felicejohnson84@yahoo.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this 03th day of November, 2013, a copy of the foregoing Motion for Order of Voluntary Dismissal was filed with the Clerk of the court, United States District Court for the Northern District of Texas, and served upon the following:

**United States Postal Service First Class Mail**

**DAVID DREZ**  
**WICK PHILLIPS GOULD & MARTIN, LLP**  
100 Throckmorton St., Suite 500  
Fort Worth, TX 76102

/s/ Felice Johnson  
Felice Johnson  
7513 Laurie Drive  
Fort Worth, Texas 76112